

RCMP EXTERNAL REVIEW COMMITTEE

**2008-2009
Estimates**

Report on Plans and Priorities

Approved

The Honourable Stockwell Day, P.C., M.P.
Minister of Public Safety
(Public Safety and Emergency Preparedness)

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Section I - Overview

Chair's Message

The RCMP External Review Committee ("Committee") reviews grievance, disciplinary and discharge and demotion cases that are referred to it, and provides findings and recommendations to assist the RCMP Commissioner in making decisions that are fair and well-informed. In doing this, the Committee aims to positively influence the manner in which labour relations issues are addressed within the RCMP.

The Committee has two program activities: to conduct independent, timely, fair and impartial case reviews leading to the provision of quality findings and recommendations; and to disseminate information on the role of the Committee and its findings and recommendations as well as on relevant legal principles.

This year, the Committee commemorates its 20th Anniversary. This important milestone offers an opportunity to reach out to clients, stakeholders and the public; to raise awareness of the unique role that the Committee serves in the labour relations system in terms of promoting the transparency of the decision-making process in the RCMP, while ensuring a neutral and impartial review of cases. Commemorative outreach and a special event are planned for the fall 2008.

The Committee's focus is always on providing timely quality case reviews. Minimizing corporate risks and ensuring accountability and transparency in all of the Committee's work is also paramount to overall program integrity. In 2007-2008, the Committee secured temporary funding to respond to immediate corporate pressures. The priority for 2008-2009 will be to use this funding to ensure that it has a more robust corporate infrastructure in place to continue to support government-wide accountability priorities.

On December 14, 2007, the Report of the Task Force on Governance and Cultural Change in the RCMP was submitted to the Minister of Public Safety and the President of the Treasury Board. Section 2 of the Report calls for changes to the labour relations review function currently carried out by the RCMP External Review Committee. The Task Force highlighted the need for rebuilding the trust of RCMP members and employees by acting on "*a renewed and strengthened commitment to accountability and transparency*"(Report, section 2.1).

The Committee is very supportive of the Task Force's broad objective to enhance the accountability and transparency of the RCMP labour relations processes, and it is committed to supporting the Minister in any way possible as he prepares his response and formulates a plan of action.

I look forward to the challenges that lie ahead, and I am very appreciative of the commitment and enthusiasm of all of my Committee colleagues.

Sincerely,

Catherine Ebbs

Catherine Ebbs
Chair

February 1, 2008

Management Representation Statement

I submit, for tabling in Parliament, the 2008-2009 Report on Plans and Priorities (RPP) for the RCMP External Review Committee.

This document has been prepared based on the reporting principles contained in the *Guide to the Preparation of Part III of the 2008-2009 Estimates: Reports on Plans and Priorities and Departmental Performance Reports*:

- It adheres to the specific reporting requirements outlined in the Treasury Board of Canada Secretariat guidance;
- It is based on the Committee's strategic outcome and Program Activity Architecture structure that were approved by the Treasury Board;
- It presents consistent, comprehensive, balanced and reliable information;
- It provides a basis of accountability for the results achieved with the resources and authorities entrusted to it; and
- It reports finances based on approved planned spending numbers from the Treasury Board of Canada Secretariat.

(Catherine Ebbs)

Catherine Ebbs
Chair

February 1, 2008

Reason d'être

The RCMP External Review Committee ("Committee") is an independent and impartial agency that aims to promote fair and equitable labour relations within the RCMP, in accordance with applicable principles of law. To this end the Committee conducts an independent review of appeals in disciplinary and discharge and demotion matters, as well as certain categories of grievances that can be referred to it pursuant to s. 33 of the *RCMP Act* and s. 36 of the *RCMP Regulations*.

Organizational Information

The Committee reports directly to Parliament through the Minister of Public Safety. The Committee has a single member, the Chairperson, who is appointed by Order in Council.



Program Activity Architecture

2008-2009 (\$thousands)		
Program Activity	Operating	Total Planned Spending
1. Independent and impartial case review	1,189	1,189
2. Outreach and information dissemination	296	296
Total	1,485	1,485

Voted and Statutory Items Displayed in Main Estimates

Vote or Statutory Item	Truncated Vote or Statutory Wording	2008-2009 Main Estimates (\$thousands)	2007-2008 Main Estimates (\$thousands)
65	Program expenditures	1,333	905
(S)	Contributions to employee benefit plans	152	287
	Total for the Committee	1,485	1,192

Departmental Planned Spending and Full Time Equivalents

	Forecast Spending 2007-2008	Planned Spending 2008-2009	Planned Spending 2009-2010	Planned Spending 2010-2011
(\$thousands)				
Program Activity				
1. Independent and impartial case review	905	1,189	858	858
2. Outreach and information dissemination	287	296	214	214
Budgetary Main Estimates (gross)	1,192	1,485	1,072	1,072
Less: Respondable revenue	0	0	0	0
Total Main Estimates	1,192	1,485	1,072	1,072
<i>Adjustments:</i>				
Supplementary Estimates:				
- Temporary short-term funding to meet corporate management obligations	360	0	0	0
<i>Other:</i>				
- TB Vote 15	10	0	0	0
- Carry forward	39	0	0	0
- Employee Benefit Plan (EBP)	2	0	0	0
Total Adjustments	411	0	0	0
Total Planned Spending	1,603	1,485	1,072	1,072
Less: Non respondable revenue	0	0	0	0
Plus: Cost of services received without charge	168	189	170	170
Total Committee Spending	1,771	1,674	1,242	1,242
Full Time Equivalents	9	10 *	8	8

* 1 FTE is for 9/12th of the year.

Summary Information

Financial Resources (\$thousands)

2008-2009	2009-2010	2010-2011
1,485	1,072	1,072

Human Resources (FTEs)

2008-2009 *	2009-2010	2010-2011
10	8	8

* 1 FTE is for 9/12th of the year.

The Committee's Priorities

Priorities	Type
1. Continue to deliver on statutory mandate	ongoing
2. Raising awareness through outreach	ongoing
3. Continue to enhance and improve on the corporate management framework and infrastructure	ongoing
4. Continue to invest in our people	ongoing

Program Activities by Strategic Outcome

(Sthousands)	Expected Results	Planned Spending			Contributes to the following priority
		2008-2009	2009-2010	2010-2011	
Strategic Outcome: The RCMP External Review Committee aims to positively influence the manner in which labour relations issues are addressed within the RCMP			Priorities 1, 2, 3 and 4		
1. Independent and impartial case review	<p>Parties and RCMP Commissioner are provided with an independent review of the dispute to facilitate transparent and accountable dispute resolution.</p> <p>A body of findings and recommendations is created to assist RCMP Level I Adjudicators, parties, RCMP Commissioner and staff representatives to interpret legislation, regulations and policy.</p> <p>Identification of areas for legislative, regulatory or policy change/clarification.</p>	1,189	858	858	Priorities 1, 3 and 4
2. Outreach and information dissemination	<p>Make available information to the public on labour relations issues within the RCMP to support accountability and transparency.</p> <p>Increase awareness of labour relations issues and resolutions within RCMP.</p>	296	214	214	Priority 2

The Committee's Plans and Priorities

Operating Environment

The strategic outcome of the Committee is to “*aim to positively influence the manner in which labour relations issues are addressed within the RCMP*”. The Committee is an independent arms-length agency created under the *RCMP Act*. The focus of the Committee’s work is the impartial, independent and timely review of RCMP labour relations cases referred to it and the timely issuance of recommendations to the Commissioner of the RCMP.

As a very small agency, the Committee has one member who is both the Chair and Chief Executive Officer. She has been appointed by the Governor in Council for a term of three years, starting November 1, 2005. Under the *Act*, anyone who sits on the Committee cannot be a member or former member of the RCMP.

By law, the Committee’s case review process starts when the Commissioner refers a case to it. The Committee itself cannot initiate a review without the referral from the Commissioner. The cases that must be referred are described in the *RCMP Act* and include disciplinary appeals, discharge and demotion appeals and certain categories of grievances. When the Committee conducts a review of a case, it monitors the entire record before it: the original documents, the decision made, and the submissions of the parties. Where the review involves the appeal of a disciplinary or discharge and demotion decision, the transcript of the Board hearing is also before the Committee, as well as any exhibits entered at the hearing. The Committee reviews all the evidence, legal issues, relevant legislation and judicial decisions in making a recommendation. After consideration of all the issues, the Committee provides findings and recommendations to the RCMP Commissioner, who is the final decision-maker. If the RCMP Commissioner decides not to follow the Committee recommendations, the law requires that an explanation be given for not doing so in the reasons.

The expeditious handling of cases referred to the Committee is fundamental to maintaining its integrity and credibility, and in carrying out its statutory mandate. The Committee routinely deals with, and must respond to, significant fluctuations in workload, as it has no control from year to year over the number of cases that are referred to it. The Committee has adopted a number of case management practices to ensure that its review process is as expeditious as possible and to enhance the quality of its findings and recommendations. This past year, the Committee utilized part of its term funding to ensure that one staff member was dedicated to the pre-screening process to identify and respond to issues earlier in the process. It continues to monitor internal practices to ensure more timely issuance of recommendations to the Commissioner and is considering a request for further resources. In 2006, the Committee received temporary funding for two years to facilitate case review and resolve backlog. Part of this temporary funding ends in 2008 and the Committee is considering a request to extend the expiry date. The Committee requires additional funds on an indeterminate basis in order to continue to deliver on its statutory mandate and intends to review its options in this regard.

The Committee is committed to continuing with its quality case reviews and to expanding its ability to do so. Enhancing the case review process and developing a more robust infrastructure to support the Committee in meeting standards of excellence in its mandate of labour relations oversight and review will be a priority in 2008-09.

The Committee also performs an important outreach function. As part of its outreach function, the Committee issues a quarterly *Communiqué* which provides updates of findings and recommendations issued by the Chair, updates of decisions rendered by the Commissioner, and summaries of applicable Federal Court cases. The *Communiqué* also includes articles of interest and these have been very well received for their educational role.

Staff have also met with various RCMP stakeholders, including Professional Standards and External Review Directorate, Offices for the Coordination of Grievances, Level I Grievance Adjudicators and Adjudication Board members for disciplinary matters. The Committee also participates in the annual meetings and orientations seminars held by the members of the RCMP Staff Relations Representatives Program. Committee staff also inform themselves of the work done by members of the RCMP through visits to RCMP detachments and training centres, and have also engaged in training and orientation sessions with the RCMP.

In light of the current activities around the RCMP's governance structures, including the Report of the Standing Committee on Public Accounts and the Report of the Task Force on Governance and Cultural Change in the RCMP, the Committee's unique expertise will be of significance. The Committee is ready to participate substantially and meaningfully in the way forward to making the RCMP a stronger, more accountable and modern organization.

The Committee is dedicated to continually improving its corporate management framework and infrastructure, which supports its legislative mandate, ensures accountability and sets out a shared vision of expected results. Areas for improvement have been identified and initiatives are undertaken on an ongoing basis to enhance the Committee's practices, policies, frameworks and systems. Over the last several years, the Committee has experienced an increased workload stemming not only from a general increase in cases, but also in a growing number of reporting and corporate requirements coming from Central Agencies. Even though the Committee is a very small agency, it must deal with added reporting pressures. The Committee is fully committed to implementing government priorities, but it is not appropriately resourced to respond to this increased requirement. This past year, the Committee secured temporary program integrity funding to respond to corporate pressures over the next five years. In addition, the Committee contributed to a working group that was coordinated by the Canada School of Public Service and examined reporting pressures on small agencies generally.

The priorities for the Committee's program activities in this planning period are described in more detail below. These include delivering on the statutory mandate; raising awareness through outreach; enhancement of its corporate management framework and infrastructure; and an ongoing investment in our people.

Priorities and Plans

1. Continue to deliver on statutory mandate

The Committee's overriding priority continues to be to review cases and make sound recommendations to the Commissioner in an expeditious manner. Within this context, the Committee strives for continuous improvement in its service delivery. It continues to examine ways to streamline its processes and improve effectiveness in this area. The complexity of cases and resource issues related to the current volume of workload, continue to make it challenging to address case backlog. The additional temporary resources are of assistance but longer term resource allocation is needed to ensure longer term strategic planning and the streamlining of processes.

The Committee must balance the dual role of exercising due diligence and meeting corporate demands without compromising its statutory requirement to review cases and to provide recommendations to the Commissioner. The Committee continues to receive a significant number of, and often very complex, files. It has also experienced an increased workload stemming from a growing number of reporting and corporate requirements from Central Agencies without an increase to its corporate resource base. The Committee is fully committed to delivering on its mandate, while ensuring it is compliant with federal government policy and legislation; but it is becoming increasingly apparent that it is not appropriately resourced. In 2008-2009, the Committee will continue to explore its options with respect to a more permanent funding solution for its ongoing operational and corporate management pressures.

2. Raise awareness through Outreach

Outreach activities remain a priority for 2008-2009. Outreach activities provide a number of important benefits to RCMP members, stakeholders and the public. The educational role the Committee plays in this regard contributes in a proactive way to a better understanding of grievance administration and discipline and discharge and demotion appeals. This year, the Committee will continue to use the *Communiqué*, its Website and Request for Information process to ensure that RCMP members get access to information on the process for presenting grievances and appeals, and past similar cases. To the extent that resources allow, Committee staff will also provide general information on its mandate directly at the detachment level via in-person visits. In addition, to commemorate its 20th Anniversary, the Committee is planning additional outreach in the form of a commemorative publication and a special half-day event in the fall 2008.

The Committee will continue to provide key stakeholders (Adjudication Boards, Level I Adjudicators, Offices for the Coordination of Grievances; Member Representatives; Appropriate Officer Representatives, Staff Relations Representatives) with information on the process, findings and recommendations, including some which offer a precedential value and updates regarding applicable case law. In addition, the Committee will continue to provide formal training to these groups, when requested, and as resources allow. The Committee offers readily available insight into RCMP grievance and disciplinary appeals through its Website and provides a concrete point for accessing information.

The Committee will also continue to engage the RCMP and other stakeholders on the issue of the strengthening of the Force's governance framework, particularly as it relates to the Committee's mandate in the area of labour relations.

3. Enhancement of the corporate management framework and infrastructure

The Committee remains committed to meeting government-wide management and accountability priorities. In 2007-2008, the Committee made progress in establishing a framework for performance and accountability. This progress was reflected in the results of the most recent Management Accountability Framework (MAF) assessment. One of the priorities for 2008-2009 will be to continue on the implementation of the Committee's management action plan developed in response to the recent MAF findings and recommendations.

In 2007-2008, the Committee secured temporary program integrity funding to respond to immediate corporate management pressures. The priority for 2008-2009 will be to ensure that it has the approved resource in place to provide human resources and financial support to the organization. It will also take steps to ensure that it has a renewed Memoranda of Understanding in place for Human Resources (HR), Information Management and Technology (IM/IT) and transactional financial support. The Committee will also ensure that it continues to work towards processes and systems that fully comply with government-wide policy. For example, compliance with the Management of Information Technology Security Policy (MITS) will be assessed to ensure that the Committee has the appropriate action plan in place to preserve the confidentiality, integrity, availability, intended use and value of electronically stored, processed or transmitted information.

In 2008-2009, the Committee celebrates its 20th Anniversary. This important milestone provides a timely opportunity to evaluate its service quality and identify potential opportunities for improvement. The Committee has developed a multi-year evaluation plan, and the preliminary step to implement that plan and the first phases will be undertaken in 2008-2009.

4. Continue to invest in our people

HR Modernization has changed the way government hires, manages and supports its public service employees. The Committee places a priority on integrating the vision and intent of HR Modernization into its day-to-day activities. In 2008-2009, the Committee will continue to provide time and resources towards training and education that enhance existing skills and contribute toward the current capacity building, and longer term career objectives of staff. The Committee will also continue to hold regular staff meetings and ensure multiple approaches to encourage collegiality, dialogue and discussion. It will consult staff and seek their input on workplace policies and practices. An ongoing priority for the Committee will be to ensure that indeterminate and temporary positions within the Committee are filled. Last but not least, the Committee would like to work with the Canada Public Service Agency and other central agencies to ensure a higher level of knowledge about staffing and staffing strategies at all levels of the organization.

Section II - Analysis of Program Activities by Strategic Outcome

Analysis by Program Activity

In order to work towards achieving its strategic outcome, the Committee carries on two program activities.

Strategic Outcome: The RCMP External Review Committee aims to positively influence the manner in which labour relations issues are addressed within the RCMP

Program Activity 1: Independent and impartial case review

Financial Resources for Program Activity 1 (\$thousands)

2008-2009	2009-2010	2010-2011
1,189	858	858

Human Resources for Program Activity 1 (FTEs)

2008-2009 *	2009-2010	2010-2011
8	6	6

* 1 FTE is for 9/12th of the year.

The Committee can dispose of matters referred to it by the RCMP either on the basis of the material in the record or following a hearing. In conducting its review of matters referred to it, the Committee attempts to achieve timeliness and quality in its recommendations, and a balance amongst the many complex and different interests involved. It strives to ensure that the principles of administrative and labour law are respected and the remedial approach indicated by the *RCMP Act* is followed. In each case, the Committee must consider the public interest and ensure that members of the RCMP are treated in a fair and equitable manner.

The Committee's focus on effectiveness and efficiency in both its case review process and management functions will assist it to achieve this result.

The statutory mandate of the Committee in the *RCMP Act* is case review and it is in this respect that program activity 1 supports priority 1.

Expected Result	Indicator	Date to Achieve Target
Parties and RCMP Commissioner are provided with an independent review of the dispute to facilitate transparent and accountable dispute resolution.	Percentage of cases where findings and recommendations are issued.	ongoing
A body of findings and recommendations is created to assist RCMP Level I Adjudicators, parties, RCMP Commissioner and staff representatives to interpret legislation, regulations and policy.	Number of times legislative, regulatory or policy interpretative guidance provided in findings and recommendations.	ongoing
Identification of areas for legislative, regulatory or policy change/clarification.	Number of recommendations for change/clarification provided in findings and recommendations.	ongoing

Program Activity 2: Outreach and information dissemination

Financial Resources for Program Activity 2 (\$thousands)

2008-2009	2009-2010	2010-2011
296	214	214

Human Resources for Program Activity 2 (FTEs)

2008-2009 *	2009-2010	2010-2011
2	2	2

* 1 FTE is for 9/12th of the year.

The Committee ensures that its findings and recommendations in each case are clearly explained for the parties and the RCMP Commissioner. Summaries of the findings and recommendations in each case, as well as articles of interest on the role of the Committee, relevant legal principles and information on related issues, are distributed widely. Communication and outreach tools include: a quarterly publication (*Communiqué*), including the most recent case summaries, updates, and legal principles; a Website with timely inclusion of publications and case summaries; the annual report and other government accountability documents; and presentations, meetings, training and other outreach activities.

The Committee strives to make information available in a timely and accessible way, with the objective of influencing in a positive way the RCMP labour relations environment, and contributing knowledge and ideas to the disciplines of administrative and labour law.

Part of the Committee work is dedicated to program activity 2, and in this way it supports priority 2.

Expected Result	Indicator	Date to Achieve Target
Make available information to the public on labour relations issues within the RCMP to support accountability and transparency.	Subscriptions levels for quarterly <i>Communiqué</i> ; subscriptions levels for annual report; Website traffic; volume of request for information.	ongoing
Increase awareness of labour relations issues and resolutions within RCMP Policy.	Website access statistics; subscription and distribution data; number of requests for information; number of outreach events.	ongoing

Section III - Supplementary Information

Departmental Link to the Government of Canada Outcomes

Program Activity	Expected Results	Planned Spending (\$thousands)			Alignment to Government of Canada Outcome Area
		2008-09	2009-10	2010-11	
Independent and impartial case review	<p>Parties and RCMP Commissioner are provided with an independent review of the dispute to facilitate transparent and accountable dispute resolution.</p> <p>A body of findings and recommendations is created to assist RCMP Level I Adjudicators, parties, RCMP Commissioner and staff representatives to interpret legislation, regulations and policy.</p> <p>Identification of areas for legislative, regulatory or policy change/clarification.</p>	1,189	858	858	<p>The Strategic Outcome of the RCMP External Review Committee supports all government outcomes:</p> <p>1. Economic Affairs - income security and employment for Canadians; - strong economic growth; - a fair and secure marketplace</p> <p>2. Social Affairs - healthy Canadians; - safe and secure communities; - a diverse society that promotes linguistic duality and social inclusion; - a vibrant Canadian culture and heritage.</p> <p>3. International Affairs - a safe and secure world through international cooperation.</p> <p>4. Government Affairs</p>
Outreach and information dissemination	<p>Make available information to the public on labour relations issues within the RCMP to support accountability and transparency</p> <p>Increase awareness of labour relations issues and resolutions within RCMP Policy.</p>	296	214	214	

The table "Services Received Without Charge" is available electronically on the Treasury Board Secretariat's Website at http://www.tbs-sct.gc.ca/est-pre/20082009/p3a_e.asp.

Section IV – Other Items of Interest

The Committee also engages in internal services such as corporate and administrative services, including those in the following areas: Management and Oversight, Human Resources Management, Financial Management, Supply Chain Management, Information Management, Information Technology, Legal, Evaluation, Internal Audit, and Others, including general administrative support and monitoring of shared service agreements. Internal services are very important and support all program activities and priorities of the Committee.

References

<p>RCMP External Review Committee P.O. Box 1159, Station B Ottawa, ON K1P 5R2</p> <p>Tel: 613-998-2134 Fax: 613-990-8969 Website: www.erc-cee.gc.ca E-mail: org@erc-cee.gc.ca</p>	<p><u>RCMP External Review Committee Annual Report</u></p> <p><u>RCMP External Review Committee Communiqué</u></p>
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